

III. REMARKS

The phrases "adapted to " and "configured to" have been deleted from the claims. Also, claim 7 has been amended as suggested by the Examiner. Thus the claims are no longer objectionable.

Claims 1-7 and 9-11 are not unpatentable under 35 U.S.C. 103(a) over Sayers in view of Muysewinkel.

The claimed invention is a telecommunications method and system which avoids sending internal data messages through a PLMN. This reduces cost (typically to zero), allows for specific encryption in each office system and increases available capacity of the PLMN since the internal messages are not sent on the PLMN. To achieve this, independent Claims 1 and 10 recite detecting an internal GSM data connection, adapting TRAU frames to RTP frames and adapting the RTP frames through at least two data rate adaptations.

The Examiner has cited Sayers (column 12, lines 21-29) for detecting an internal GSM call. However, nothing is stated therein about an internal call. Further, only voice (not data) calls are disclosed (see line 24). The Examiner argues that Sayers fails to explicitly disclose the claimed adapting TRAU frames to RTP frames, but does disclose transcoding frames that allow the voice and data traffic to be sent to existing networks. Further, the Examiner argues that it is known in the art that TRAU frames are used in transcoding functions and RTP frames are utilized in networks transporting real-time data, such as voice and video.

If this is true, she is requested to provide a reference for these claimed features since these facts are not capable of instant and unquestioned demonstration as being in the prior art. This is especially true since the claimed invention is an esoteric technology. In re Ahlert, 165 USPQ 418, 420; MPEP 2144.03 (A).

The Examiner also states transcoding TRAU frames to RTP frames is obvious from Sayers since it discloses transcoding in general. However, since different types of transcoding are done for different purposes, it is respectfully submitted that the particular claimed transcoding is not obvious from Sayers.

Muyselwinkel is for the problem of connection control to and from radio subscribers (see col. 2, ll.1-6). Since this is for a different problem than that solved by the claimed invention, it cannot be properly combined with Sayers. MPEP 2143.01.

More importantly, Muysewinkel achieves its object by routing of signaling connections and routing traffic connections in specified manners. The Examiner cites Muysewinkel, column 4, lines 64, to column 5, line 4, for the two data rate adaptations feature. However, there is only one data rate conversion (from 16 Kbit/s to 64Kbit/s) disclosed therein.

Hence, even if the above references are combined the result is not the claimed invention. Thus the rejection of claims 1-7 and 9-11 should be withdrawn.

Claim 8 is not unpatentable under 35 U.S.C. 103(a) over Sayers in view of Muysewinkel and further in view of Jiang.

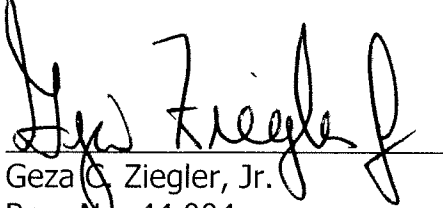
Jiang also fails to disclose the above-discussed features. Thus combining it with Sayers and Muysewinkel does not result in the invention of claim 8.

New claim 12 has limitations similar to those discussed above. Thus it and its dependant claims are also patentable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for the one month extension of time (\$120) as well as any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Geza C. Ziegler, Jr.
Reg. No. 44,004

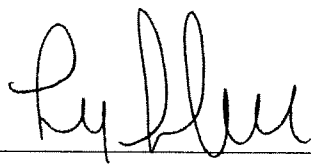
18 July 2007
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being transmitted electronically, on the date indicated below, addressed to the Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 18 July 2007

Signature: 
Lisa Shimizu
Person Making Deposit